

LICENSING & PUBLIC SPACE PROTECTION ORDER (PSPO) SUB COMMITTEE

Wednesday 7 February 2024

Present: Councillors Mandy Brar (Chair), Geoff Hill and Genevieve Gosling

Officers: Craig Hawkings, Anthony Lenaghan and Laurence Ellis

Appointment of Chair

Councillor Hill nominated Councillor Brar to Chair of the Sub-Committee. This was seconded by Councillor Gosling.

AGREED: That Councillor Brar be elected Chair of the Sub-Committee.

Apologies for Absence

No apologies for absence were received.

Declarations of Interest

No interests were declared.

Procedures of the Sub Committee

All parties present noted the procedures of the Sub-Committee.

Consideration of an application for a new premises license to be granted under the Licensing Act 2003

Craig Hawkings, RBWM Reporting Officer, outlined the report to the Sub-Committee and outlined the application by AV Retails Ltd.: a new premises licence to be granted for a convenience store at Premier, 6 Harrow Lane, Maidenhead, SL6 7PD. He informed that in line with section 18.3A in the Licensing Act 2003, when relevant representations were made against an application, a hearing must be held to consider them.

Craig Hawkings stated that the applicant applied for a licence which would include:

- Supply of alcohol (OFF the premises), Monday to Sunday, 06:00–23:00
- Hours open to the public, Monday to Sunday, 06:00–23:00

Officers had reviewed the operating schedule by which they included relevant conditions.

As per requirement for the hearing, the application was advertised with officers confirming that all advertising requirements were fully complied with. In terms of promoting the licensing objectives, the Sub-Committee had to also take into account the National Guidance issued under Section 182 of the Licensing Act as well as the Council's own Licensing Policy.

Craig Hawkings then reminded all parties what the four licencing objectives which were set out in the Licencing Act 2003 were:

- The prevention of crime and disorder,
- Public safety,
- The prevention of public nuisance,
- The protection of children from harm.

The application contained agreed conditions between the applicant and two of the responsible authorities consulted on the application as part of the 28-day consultation: Thames Valley Police and Trading Standards.

The application received two representations, including a small petition.

While operating hours fell slightly outside of RBWM's framework hours (opening at 06:00 rather than 09:00), Craig Hawkings highlighted that the application would have been granted as applied for under delegated officer powers if no objections were received.

Councillor Gosling asked for confirmation that the applicant had other properties under their ownership and as such would therefore apply their business practice to the premises at Harrow Lane (if a licence was granted) in similar fashion to their other properties. Craig Hawkings replied that this question would be best answered by the applicant.

A representative presented the case on behalf of the applicant, Mr Kathirvel Jegatharan. She highlighted that the comments from the objections were not relevant to the property as well as the application not receiving any representations from Thames Valley Police and Environmental Health. Addressing some objections to the application, it was mentioned that any illegal parking near the premises would be dealt with by a sector of the department. Kathirvel Jegatharan's representative reassured that the store's operations would not disturb a nearby nursery as the premises was located within a single, self-contained building.

Kathirvel Jegatharan's representative added that the premises would have a strong training programme for its staff, including the prevention of selling alcohol to underage persons or selling to drunk people. It was mentioned that staff would ask members of the public to avoid loitering near the premises.

The representative also highlighted that Kathirvel Jegatharan was already a director of a company and was thus experienced in running stores across the country and would therefore be able to manage this store.

Councillor Hill asked whether the applicant was comfortable with the conditions in the application and was happy to abide by them. Kathirvel Jegatharan's representative confirmed that the conditions in the application would be abided by.

Councillor Gosling repeated her earlier question on the applicant having experience with other retail stores, namely training staff and serving alcohol. Kathirvel Jegatharan's representative assured that an alcohol refusal log book as well as an incident log book would be used and that a fire risk assessment would be periodically undertaken as part of public safety. In addition, there would be a strong training program with the staff receiving refresher training every 6 months.

In their closing summary, Kathirvel Jegatharan's representative believed that AV Retails Ltd. would be able to follow all the licensing objectives and the conditions applied by Thames Valley Police and the Trading Standards. She added that the premises would serve the community.

Craig Hawkings presented to the Sub-Committee the options in regard to the application in line with promoting the four licensing objectives as well as the National Guidance and RBWM Licensing policy:

- a) Reject the application;
- b) Grant the application but modify the activities and/or the hours and/or the conditions of the licence;
- c) Grant the application as applied for.

Anthony Lenaghan, Legal Officer, highlighted for the public record that appendix D, which contained objections to the application, was part of the agenda pack and the Sub-Committee had read through and considered them prior to the hearing.

(The Applicant, the Applicant's Representative and the Reporting Officer left the room and took no further part in the meeting.)

The Sub-Committee then began their deliberations alongside the Legal Officer and the Clerk.

The Chair and Councillor Hill both had no objections to the application with Councillor Gosling adding that the applicant was experienced. While considering the objections, the Sub-Committee saw no issue in allowing the application.

AGREED UNANIMOUSLY: That the premises license for Premier, 6 Harrow Lane, Maidenhead, SL6 7PD, be granted as applied for.

The meeting, which began at 1.31 pm, finished at 1.54 pm

Chair.....

Date.....